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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,073	01/04/2002	Jennifer K. Lanier	C0015	7323
7	7590 07/08/2003			
Michael E. Carroll, Jr.			EXAMINER	
P.O. Box 489 · Hickory, NC 28603-0489			ARTMAN, THOMAS R	
			ART UNIT	PAPER NUMBER
		•	2882	
		DATE MAILED: 07/08/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application N . Application N . Applicant(s)							
Examiner	•		Application N .	Applicant(s)			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply	`.		10/038,073	LANIER ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edentions of time may be available under the provisions of 2 CER 1.13(a). In no event, however, may a reply be timely filled to the provision of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 172(a)). *See the attached detailed office action for a both of domestic priority under 35 U.S.C. § 119(a) (do or provisional application). *See the attached detailed office action for a bot		Offic Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be evaluable under the provisions of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed Extensions of time may be evaluable under the provisions of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed Extensions of time may be evaluable under the provisions of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed Extensions of time may be evaluable under the provisions of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed. Extensions of time may be evaluable under the provisions of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed. Extensions of the provision of the provision of 3° CFR 1.35(a), in no event, bowever, may a reply be timely filed. Extensions of the provision of the provision of 3° CFR 1.35(a), and the statutory minimum of thiny (30) days will be considered limely. Extensions of the provision of the provision of 3° CFR 1.35(a). Status 1)							
THE MAILING DATE OF THIS COMMUNICATION. Exteriors of time may be available under the provision of 3 CPR 1.15(6). In no event, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. If the period of may be seemed because the maximum absorby predict within the statutery interiority (8) days will be considered timely. If the period of may be seemed because the maximum absorby predict will be publication to become ARANDONED (35 U.S.C. § 133). Any reply received by the Othica term than these months after the mailing date of this communication, even if timely filed, may reduce any examined patient term deplaced to the communication of the communication. Any reply received by the Othica in the number of the communication, even if timely filed, may reduce any examined patient term deplaced to the communication of the communication. Status 1) A reply received by the Othica and the communication of this communication, even if timely filed, may reduce any examined term deplaced to the communication of the communication. 2a) This action is FINAL. 2b) This action is non-final. 3b) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disp stituon of Claims 4) Eclaim(s) 1-80 is/are pending in the application. 4) Claim(s) 1-80 is/are pending in the application. 4) Claim(s) 1-80 is/are allowed. 6) Claim(s) 1-80 is/are allowed. 6) Claim(s) 1-80 is/are allowed. 6) Claim(s) 1-80 are subjected to by the Examiner. 10) The drawing(s) filed on 1-10 is/are: a) accepted or b) objected to b, by the Examiner. Application Papers 9) The drawing(s) filed on 1-10 is/are: a) 1-10 is/			ppears on the cover sheet with the o	correspondence address			
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	2) Notice	of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Information				

Application/Control Number: 10/038,073

Art Unit: 2882

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-3, 6-44 and 69-80, drawn to a fiber optic cable, classified in class 385, subclass 100.
- II. Claims 45-68, drawn to a method of manufacturing a fiber optic cable, classified in class 427, subclass 163.1.

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the cable jacket of Invention I can be made by other methods besides extrusion, such as pressure/injection processes.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R Artman whose telephone number is (703) 305-0203. The examiner can normally be reached on 8am - 5:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (703) 308-4858. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Thomas R. Artman Patent Examiner July 1, 2003

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